## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION CASE NO. 5:20-CV-174-DCK

VICTORIA CHA,	)
Plaintiff,	) ) )
<b>v.</b>	ORDER
KILOLO KIJAKAZI, Acting Commissioner of Social Security,	)
Defendant.	) ) )

THIS MATTER IS BEFORE THE COURT on "Plaintiff's Petition For Attorney Fees Under The Equal Access To Justice Act 28 U.S.C. § 2412" (Document No. 22) filed January 18, 2022. The parties have consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c), and immediate review is appropriate. Having carefully considered the motion and the record, the undersigned will grant the motion with modification.

By the instant motion, Plaintiff Victoria Cha seeks an award of attorney fees under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412, in the amount of \$4,600.86.

On January 27, 2022, the parties filed a joint "Stipulation For Payment Of Attorney's Fees" (Document No. 24), indicating the parties' agreement that Defendant will pay Plaintiff \$4,275.00 "in attorney's fees in full satisfaction of all claims arising under the Equal Access to Justice Act." The Court commends the parties and their counsel for reaching an agreement on the issue of fees.

IT IS, THEREFORE, ORDERED that "Plaintiff's Petition For Attorney Fees Under The Equal Access To Justice Act 28 U.S.C. § 2412" (Document No. 19) is **GRANTED with modification**.

IT IS FURTHER ORDERED that the Acting Commissioner of Social Security SHALL pay to Plaintiff the sum of \$4,275.00 in attorney fees, in full satisfaction of any and all claims arising under EAJA, 28 U.S.C. § 2412(d), and upon the payment of such sum this case is dismissed with prejudice. If the award to Plaintiff is not subject to the Treasury Offset Program, payment will be made by check payable to Plaintiff's counsel, Derrick K. Arrowood, and mailed to his office at P.O. Box 58129, Raleigh, North Carolina 27658, in accordance with Plaintiff's assignment to her attorney of her right to payment of attorney's fees under the EAJA. If the payment is subject to offset, then any remaining fee will be made payable to Plaintiff and mailed to Plaintiff's counsel's office address.

SO ORDERED.

Signed: January 28, 2022

David C. Keesler

United States Magistrate Judge